

BEFORE THE DEPARTMENT OF FISH, WILDLIFE AND PARKS
OF THE STATE OF MONTANA

In the matter of the adoption of NEW) NOTICE OF PROPOSED ADOPTION
RULE I regarding shooting preserve)
applications) NO PUBLIC HEARING
) CONTEMPLATED

TO: All Concerned Persons

1. On December 20, 2012, the Department of Fish, Wildlife and Parks (department) proposes to adopt the above-stated rule.

2. The department will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, please contact the department no later than November 9, 2012, to advise us of the nature of the accommodation that you need. Please contact Jessica Snyder, Fish, Wildlife and Parks, P.O. Box 200701, Helena, MT 59620-0701; telephone (406) 444-9785; fax (406) 444-7456; e-mail jesssnyder@mt.gov.

3. The new rule proposed to be adopted provides as follows:

NEW RULE I SHOOTING PRESERVE LICENSE APPLICATION (1) The license period for shooting preserves is July 1 through June 30.

(2) Applications, renewals, and expansion requests for a shooting preserve license must be submitted on a form provided by the department.

(3) Applications, renewals, and expansion requests for a shooting preserve license are to be postmarked no later than July 1. Applications, renewals, and expansion requests postmarked after July 1 will not be considered until the following license period.

(4) Any shooting preserve that is not renewed by July 1 will be considered to have lapsed and is subject to the provisions of a new license application.

AUTH: 87-4-501, MCA

IMP: 87-4-501, MCA

Reasonable Necessity: The department is proposing a new rule in order to provide shooting preserve licensees and the department with a consistent application process and deadlines. The process and deadlines will ensure department personnel are available to complete the necessary licensing requirements and inspections in a timely fashion. It also will provide the department with the necessary information to budget and order an appropriate amount of required supplies such as shooting preserve record books and bird tags.

4. Concerned persons may present their data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also

be submitted to Mike Lee, Fish, Wildlife and Parks, P.O. Box 200701, Helena, MT, 59620-0701; fax 406-444-7894; e-mail milee@mt.gov, and must be received no later than November 23, 2012.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make written request for a hearing and submit this request along with any written comments to Mike Lee at the above address no later than 5:00 p.m., November 23, 2012.

6. If the agency receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the persons directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a hearing will be held at a later date. Notice of the hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 11 persons based on the number of shooting preserves license holders.

7. The Department of Fish, Wildlife and Parks maintains a list of interested persons who wish to receive notice of rulemaking actions proposed by the commission or department. Persons who wish to have their name added to the list shall make written request which includes the name and mailing address of the person to receive the notice and specifies the subject or subjects about which the person wishes to receive notice. Such written request may be mailed or delivered to Fish, Wildlife and Parks, Legal Unit, P.O. Box 200701, 1420 East Sixth Avenue, Helena, MT 59620-0701, faxed to the office at (406) 444-7456, or may be made by completing the request form at any rules hearing held by the commission or department.

8. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

/s/ Mike Volesky

Mike Volesky, Deputy Director
Department of Fish, Wildlife and Parks

/s/ Aimee Fausser

Aimee Fausser, Legal Counsel
Rule Reviewer

Certified to the Secretary of State October 15, 2012